

REMARKS

Claims 1-20 and 22-45 are pending. Claims 1, 10-16, 35 and 38 have been amended, claim 9 has been canceled, leaving Claims 1-8, 10-20 and 22-45 for consideration upon entry of the amendment.

Support for the amendment to Claims 1, 35 and 38 can be found at least in paragraphs [0024] and [0030] of the application as originally filed. Claims 10-16 have been amended to change the dependency of the claims due to the cancellation of claim 9.

Reconsideration and allowance of the claims are respectfully requested in view of the following remarks.

Claim Rejections Under 35 U.S.C. § 112, Second Paragraph

Claim 11 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Examiner states that “claim 11 recites the limitation “styrene-(ethylene/butylene)-styrene triblock copolymer is considered indefinite. There is insufficient antecedent basis for this limitation in the claim. It is unclear if the recited “styrene-(ethylene-butylene)-styrene triblock copolymer” can be prepared from the hydrogenation of triblock copolymer comprising styrene and conjugated diene” (4/24/2007 Office Action, page 2, final paragraph.)

Applicants respectfully disagree and respectfully submit that there is antecedent basis for this limitation throughout the Application as filed. See at least the Application as filed, paragraph [0024] “the hydrogenated block copolymer is a copolymer comprising (A) at least one block derived from an alkenyl aromatic compound and (B) at least one block derived from a conjugated diene,” and paragraphs [0025]-[0039]. In addition, the styrene-(ethylene-butylene)-styrene triblock copolymers, collectively known as SEBS, are commonly used in the art and understood to be hydrogenated block copolymers derived from alkenylaromatic/conjugated diene block copolymers.

Reconsideration and withdrawal of this rejection are respectfully requested.

Claim Rejections Under 35 U.S.C. § 103(a)

Claims 1-6, 8-20, 22-35, 38, 40-42, and 44 stand rejected under 35 U.S.C. §

103(a), as allegedly unpatentable over United States Patent No. 4,603,153 to Sobajima. et al. (Sobajima) in view of United States Patent No. 5,853,060 to Chao, et al. (Chao). Applicants respectfully traverse this rejection.

Sobajima teaches a glass fiber reinforced resin composition (Sobajima, abstract). The composition comprises (a) a crystalline propylene polymer, (b) a glass fiber, (c) an ethylene copolymer rubber, (d) at least one inorganic filler, and (e) a pigment (Sobajima, column 2, lines 1-20). The composition may further comprise thermoplastic resins such as polyphenylene oxide (Sobajima, column 8, lines 52-62) and modified or unmodified rubbers or latexes such as a styrene-butadiene-styrene block copolymer or its hydrogenated product (Sobajima, column 8, lines 46-51). Sobajima is silent with regard to the relative amounts of the blocks in the block copolymer and hence fails to teach the limitation of amended claims 1, 35 and 38 which requires that the hydrogenated alkenyl aromatic compound/conjugated diene block copolymer has an alkenyl aromatic content of about 40 to about 90 weight percent based on the total weight of the hydrogenated block copolymer.

Chao teaches a vehicle hood latch release system in an automotive vehicle having a hood covering an underhood area and a vehicle body defining a vehicle interior. A hood latch release system has a striker mounted in the underhood area, a primary latch mounted in the underhood area, and a secondary latch mounted in the underhood area. The primary latch and the secondary latch are released from the striker by a cable operated latch release lever using a latch release handle located in a depression in a surface of the vehicle interior coverable by a driver's door (Chao, abstract.)

Applicants respectfully assert that claims 1-6, 8-20, 22-35, 38, 40-42 and, 44 are non-obvious over the combination of Sobajima and Chao. For an obviousness rejection to be proper, the Examiner must meet the burden of establishing a prima facie case of obviousness. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988). Establishing a prima facie case of obviousness requires that all elements of the invention be disclosed in the prior art. *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970).

As mentioned above, Sobajima does not teach the required alkenyl aromatic content of the hydrogenated block copolymer. Chao does not provide this missing element. Hence the references, neither singly nor in combination, disclose all elements of

the pending claims.

Furthermore, Applicants take issue with the Examiner's assertion that "Chao et al. disclose that an automotive vehicle having a hood covering 'an underhood area' in a front portion of the vehicle and a vehicle body defining a vehicle 'interior'. Therefore, the examiner has a reasonable basis that the claimed 'underhood components' are components located in the interior section of an automobile. Motivated by the expectation of success of developing an application for the resin composition of Sobajima et al., it would have been obvious to one of ordinary skill in art to read the definitions of 'interior' and 'underhood' of Chao et al. into the 'interior parts' teachings of Sobajima et al. to obtain the invention of claims 1-6, 8-20, 22-35, 38, 40-42, 44."

Applicants respectfully disagree for at least two reasons. First, Chao clearly differentiates between "underhood" and "interior" as two distinct and separate areas. For example, Chao teaches that the vehicle body 12 defines a vehicle interior such as a passenger compartment (Chao, column 3, lines 27-28) whereas the hood is for covering an underhood 16 in a front portion 18 of the vehicle (Chao, column 3, lines 1-3.) There is no reasonable basis as alleged by the Examiner that the claimed "underhood components" are components located in the interior section of an automobile when Chao, relied upon by the Examiner to make this assertion, clearly defines "underhood" and "interior" as two distinct and separate areas.

Second, a skilled artisan would not be motivated to interchange the interior of the vehicle with the underhood area because it is understood that the underhood area of a vehicle has a different environment from the interior of a vehicle. The interior of the vehicle generally has a mild environment suitable to accommodate a human being, and the sources of heat in the interior of a vehicle are generally the sun and the heater of the vehicle. On the other hand, the underhood area is subject to harsher and more extreme conditions such as heat from the vehicle engine, gasoline vapors, vibration from the operation of the engine and engine components, and contact with fluids such as water, oil, gasoline, and other chemicals, that are under high temperature and pressure.

Further, Applicants respectfully traverse this rejection on the grounds that Sobajima and Chao are non-analogous art. For the purposes of evaluating obviousness of claimed subject matter, the particular references relied upon must constitute "analogous

art”. *In re Clay*, 966 F.2d 656, 659, 23 U.S.P.Q.2d 1058, 1060-61 (Fed. Cir. 1992). The art must be from the same field of endeavor, or be reasonably pertinent to the particular problem with which the inventor is involved. *Id.* Sobajima teaches glass fiber reinforced resin compositions, whereas Chao teaches a latch release system to operate the hood of a car. There is no motivation or expectation of success in combining Sobajima with Chao because the teachings of Sobajima and Chao are non-analogous. Chao’s latch release system would not be expected by a skilled artisan to be related to Sobajima’s resin compositions and thus there would be no motivation or expectation of success from this combination.

Thus Applicants respectfully assert that claims 1-6, 8-20, 22-35, 38, 40-42, and 44 are patentable over the combination of Sobajima and Chao under 35 U.S.C. § 103(a). Withdrawal of the rejection is respectfully requested.

Claim 7 stands rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over Sobajima, in view of Chao, as evident by United States Patent No. 5,358,989 to Casarini, et al. (Casarini). Applicants respectfully traverse this rejection.

As discussed above, independent claim 1, from which claim 7 depends, is patentable over the combination of Sobajima and Chao, rendering this rejection moot. Withdrawal of the rejection is respectfully requested.

Claims 39, 43, and 45 stand rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over Sobajima, in view of Chao, and further in view of United States Patent No. 6,060,549 to Li, et al. (Li). Applicants respectfully traverse this rejection.

As discussed above, independent claims 38 and 42, from which claims 39, 43, and 45 depend, are patentable over the combination of Sobajima and Chao, rendering this rejection moot. Withdrawal of the rejection is respectfully requested.

Claims 36-37 stand rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over Sobajima, in view of Chao, in view of paragraph 6 of instant Office Action. Applicants respectfully traverse this rejection, as discussed above regarding the rejection to claims 1-6, 8-20, 22-35, 38, 40-42, and 44, on the grounds that first, Chao clearly differentiates between “underhood” and “interior” as two distinct and separate areas. Second, a skilled artisan would not be motivated to interchange the interior of the vehicle with the underhood area. Third, a skilled artisan, would appreciate the fact that the

environment of a radiator end cap is even harsher than that of many other underhood components because the radiator end cap is subjected to substantially continuous contact with antifreeze, frequently at elevated temperatures, thus requiring a high level of chemical resistance. One of ordinary skill in the art would not know or have sufficient basis to guess, based on the teachings of Sobajima, that the composition of Claims 36 and 37 would have sufficient chemical resistance to be used in a radiator end cap. And further, Applicants respectfully traverse this rejection on the grounds that Sobajima and Chao are non-analogous art.

In light of the above, Applicants respectfully assert that the Examiner did not establish a *prima facie* case of obviousness. Withdrawal of the rejections is respectfully requested.

It is believed that the foregoing remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicants. Accordingly, reconsideration and allowance are requested.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 50-1131.

Respectfully submitted,

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